IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.48080 of 2008
1. BANTI RAI @ BIPIN KUMAR RAI
2. PINTU RAI @ PINTU KUMAR RAI
Versus
THE STATE OF BIHAR

2/ 03/12/2008. Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend arrest in a police case under Sections- 436/34 of I.P.C. and 5(i) of S.C./S.T. (Prevention of Atrocities) Act.

The submission is of grant of anticipatory bail to co-accused with common allegations in Cr. Misc. No.19/08. No copy of the order has been placed before this Court. The matter has been compromised.

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Paragraph-3 of the impugned order of rejection, from paragraph-5 of the case diary describing the place of occurrence, confirms the burning of the house in question.

This Court finds it difficult to grant anticipatory bail on principles of consistency only. The application is rejected.

Any application for regular bail on behalf of the petitioner shall be considered by the court below on its own merits, including the order sought to be relied upon by the petitioners,

without being prejudiced by the present order of rejection.

KC **(Navin Sinha, J.)**

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